

The Renovation Trap

<http://www.RenovationTrap.com>

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Grant S. Degginger
Stanton P. Beck
Dennis M. Strasser
Charles W. Riley, Jr.
Lane Powell
1420 Fifth Avenue
Suite 4100
Seattle, WA 98101

Re: Brent Nourse

Dear Sirs,

We would like to express our appreciation for Brent Nourse's outstanding legal work on our case during this past year.

In September 2007, we called Brent on reference from his former client, Warren Harkcom. We do not know whether Brent had seen our complaint, but he came to our house to discuss the case with us. He told us he specialized in construction. While he was at the house, he proved his worth by telling us something about our case that we did not already know. He told us about the sheer walls and suggested they should be examined by an engineer. We liked his attitude. He was in no way boastful, but he communicated competence and tenacity, and a refreshing lack of compromise.

From that time, he began honing the case to a manageable size, dismissing unnecessary parties with useful settlements, and forcing the remaining parties to conform to Court Rules. He took us through a Summary Judgment hearing against the contractor. The contractor's lawyer had been stalling on document production, then claimed in court we had no evidence. Brent embarrassed him on the simplicity of the tactic and obtained a continuance to obtain and analyze the discovery information. He also forced the contractor into a stipulated judgment of CPA violation.

In deposition, with the gentlest and most sympathetic manner, Brent teased out of the opposition a damning picture of the real estate agent's conflict of interest. So gentle was his style, the witnesses did not seem to know they were giving up the heart of the case. And strangely, nor did the lawyers. In that, and in analysis of cartons of random documents, Brent found the nuggets to build the case.

The real epicenter of the case was the summary judgment hearing with Windermere. Windermere asked for dismissal of most of the claims, so Brent asked for a finding in our favor of many of the same claims. This was puzzling at first, but it produced a result we now understand: by the storm of briefs and counter-briefs, Judge Erlick was forced into the most conservative stance and eventually did exactly nothing. Zero is after all, the midpoint between plus and minus one. Thus, the case came to trial intact. And that was the real point of victory.

In meeting and surmounting Windermere's SJMs, Brent won the case. Apparently, from what we have seen here and in other cases we have researched, Windermere (Demco Law) relies primarily on SJ to prevail. The actual trial seems to have been outside its knowledge of the practice of law. While Brent built

a solid case of experts on various aspects of our damages, Windermere brought no experts of its own and failed to depose ours.

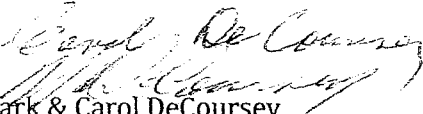
Brent prepared a portfolio of photographs and documents with a projector for jury examination. As he walked our experts through each of their specialties, he accompanied the verbal explanations with a full-color slide show of the renovation in progress, the results, and the accompanying documentation.

Finally, witness preparation scared heck out of Mark because it was much briefer than we had expected. Apparently it was enough, though, because he knew what to do when he got on the stand. For that, and some other heart-stopping moments in the courtroom, we nominate Brent for the 2008 Eli Cross Trophy (see *The Stunt Man*, 1980, with Peter O'Toole).

Of course, we have no way of knowing how the trial would have gone if Windermere had actually presented a defense. But Brent's prosecution looked darn good from where we were sitting.

So in light of the facts, our wonderful line-up of experts, the powerhouse of legal professionals Lane Powell put into the preparation and conduct of the trial (Andrew Gabel, Cheryl Jacobs, Bruce Volbeda, Abraham Lorber), and Brent's deceptively simple style masking preternatural competence, what could Windermere have done?

Thank you, all of you, for your support and your faith,



Mark & Carol DeCoursey
8209 172nd Ave. NE
Redmond, WA 98052

cc: Brent Nourse
Andrew Gabel
Cheryl ("CJ") Jacobs
Bruce Volbeda
Abraham Lorber